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10 Attorneys for Defendants ERICK GELHAUS and
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11
12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

15 ESTATE OF ANDY LOPEZ, BY AND
16 THROUGH SUCCESSORS IN INTEREST,
RODRIGO LOPEZ AND SUJAY CRUZ,
17 AND RODRIGO LOPEZ AND SUJAY
CRUZ, INDIVIDUALLY,

18 Plaintiffs,

19 vs.

20 ERICK GELHAUS, COUNTY OF
21 SONOMA, DOES 1 - 10, INCLUSIVE,

22 Defendants.

Case No. 13-CV-05124

**STIPULATION OF DISMISSAL AND
~~PROPOSED~~ ORDER THEREON**

Trial Date: July 29, 2019

23
24 The Parties, by and through their respective counsel, stipulate to dismissal of this action in
25 its entirety with prejudice pursuant to Fed. R. Civ. P. 41(a)(2).
26
27
28

1 IT IS HEREBY STIPULATED by and between parties to this action through their
2 designated counsel that the above-captioned action become and hereby is dismissed with prejudice
3 and each side is to bear its own costs and attorneys' fees.

4 The parties further consent to and request that the Court retain jurisdiction over
5 enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994)
6 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).
7 The Court shall retain jurisdiction for one year after the date of this Order.

8 Dated: January 2, 2019

MESSNER REEVES LLP

9 By: /s/ Jesse F. Ruiz

10 JESSE F. RUIZ

11 Attorneys for Defendants ERICK GELHAUS
and COUNTY OF SONOMA

12 Dated: January 2, 2019

CASILLAS & ASSOCIATES

13 By: /s/ Arnoldo Casillas

14 ARNOLDO CASILLAS

15 Attorneys for Plaintiffs Estate of Andy Lopez,
Rodrigo Lopez and Sujay Cruz

16 **ORDER**

17 PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED AS
18 FOLLOWS:

19 This matter is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2) and each side
20 is to bear its own costs and attorneys' fees. IT IS FURTHER ORDERED that the Court shall
21 retain jurisdiction for the purpose of enforcing the parties Release and Settlement Agreement
22 should enforcement be necessary.

23 **IT IS SO ORDERED.**

24 DATED: January 2, 2019



25
26 HON. PHYLLIS J. HAMILTON
27 UNITED STATES DISTRICT COURT JUDGE
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